

State Question No.:

"WARNING"

Initiative Petition No.:

It is a felony for anyone to sign an initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the measure, or to sign such petition when he or she is not a legal voter.

INITIATIVE PETITION**FILED**

AUG 8 1989

OKLAHOMA SECRETARY
OF STATE

**TO THE HONORABLE HENRY BELLMON,
GOVERNOR OF OKLAHOMA:**

We, the undersigned citizens and legal voters of the State of Oklahoma, respectfully order that the following proposed Amendment to the Constitution shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election, to be held November 6, 1990 or at a special election to be held on such a day as the Governor shall proclaim, and each for himself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence and post office are correctly written after my name. The time for filing this petition expires ninety days from August 8, 1989. The question we herewith submit to our fellow voters is:

Shall the following proposed amendment to the Constitution be approved:

BALLOT TITLE

The measure would add a new Article to the Oklahoma Constitution, Article XXIX. The new Article would create a five member Ethics Commission. The Supreme Court Chief Justice, Governor, Attorney General, Senate President Pro Tempore and Speaker of the House would each appoint one Commission member. Commissioners must be from different congressional districts. No more than three Commissioners could be from the same political party. The Commission could make rules regulating political campaign ethics. The Commission could make ethics rules for state employees and elected officers. Commission rules could be disapproved by the Legislature. Legislative disapproval could be vetoed by the Governor. A two-thirds vote of the Legislature would override the Governor's veto. The Legislature could enact ethics laws. The Commission could also investigate violations and prosecute violators in District Court.

SHALL THE PROPOSED CONSTITUTIONAL AMENDMENT BE APPROVED?

() Yes - for the Amendment

() No - against the Amendment

Be it Enacted by the People of the State of Oklahoma that a new Article XXIX of the Oklahoma Constitution be adopted:

ARTICLE XXIX

SECTION 1. Ethics Commission — Appointments — Qualifications — Terms — Vacancies — Quorum. A. There is hereby created the Ethics Commission which shall consist of five members. The Governor, Attorney General, President Pro Tempore of the Senate, Speaker of the House of Representatives, and Chief Justice of the Supreme Court shall each appoint a person who is a registered voter of this State to the Commission. The initial terms of the Governor's and Attorney General's appointees shall be one year; the initial terms of the President Pro Tempore's and Speaker's appointees shall be three years, and the initial term of the Chief Justice's appointee shall be five years. B. No congressional district shall be represented by more than one Commissioner, and no more than three persons of the same political registration shall serve on the Ethics Commission at the same time. C. After the initial terms, members of the Ethics Commission shall serve terms of five years. No person shall be appointed to the Commission more than two times in succession, except the initial members who serve less than five-year terms may be appointed three times in succession. A vacancy on the Commission shall be filled for the remainder of the unexpired term by the appointing authority. D. The members of the Commission shall choose a chair from among themselves. E. The term of office for a Commissioner shall commence at noon on the second Monday in July. F. No member of the Ethics Commission shall be eligible for elected office for two years after completing his or her term. G. A majority of the members serving shall constitute a quorum.

SECTION 2. Appropriation — Compensation — Staff. A. The Ethics Commission shall receive an annual appropriation by the Legislature sufficient to enable it to perform its duties as set forth in this Constitutional Amendment. Any funds appropriated to the Ethics Commission, which remain unspent at the end of the fiscal year shall be returned to the general revenue fund. The Commission shall present its proposed budget to the Governor and the Legislature on the second day of each legislature session. B. The Commissioners shall receive reimbursement for travel, lodging, and meals while on official business as provided for other officers of the State, but they shall not be otherwise compensated. C. The Commission may employ an executive director and other staff, including attorneys, necessary to fulfill its duties.

SECTION 3. Ethics Rules. A. After public hearing, the Ethics Commission shall promulgate rules of ethical conduct for campaigns for elective state office and for campaigns for initiatives and referenda, including civil penalties for violation of these rules. B. After public hearing, the Ethics Commission shall promulgate rules of ethical conduct for state officers and employees, including civil penalties for violation of these rules. C. Newly promulgated rules shall be presented to each House of the Legislature and to the Governor on the second day of each session of the Legislature. If these rules are not disapproved by joint resolution, subject to veto by the Governor, during the same legislative session, they shall be effective. In the event the Governor vetoes a joint resolution disapproving any Ethics Commission's rules, the procedure shall be the same as for the veto of any other bill or joint resolution. Effective Ethics Commission rules shall be published in the official statutes of the State. D. Effective Ethics Commission rules may be repealed or modified by the Commission, and the repeal or modification shall be submitted to the Legislature and the Governor in the same manner as newly promulgated rules. Effective Ethics Commission rules may also be repealed or modified by law passed by a majority vote of each House of the Legislature. If the Governor vetoes such a law, the procedure shall be the same as for the veto of any other bill or joint resolution.

SECTION 4. Investigation — Decision — Subpoena Power. A. The Ethics Commission shall investigate and, when it deems appropriate, prosecute in the District Court of the County where the violation occurred violations of its rules governing ethical conduct of campaigns, state officers, and state employees. Where uncertainty exists as to the County in which the violation occurred, the Commission may prosecute in any County in which the evidence indicates the violation might have been committed. The Court may assess penalties for violation of ethical standards established by the Commission as provided in the Commission's rules. The Commission may settle investigations and accept payment of fines without Court order. Fines paid shall be deposited in the general revenue fund of the State. B. The Commission shall also enforce other ethics laws as prescribed by law. C. For purposes of its investigations, the Ethics Commission shall have subpoena power.

SECTION 5. Ethics Interpretations. The Ethics Commission may respond, pursuant to its rules, to questions of specific individuals seeking an interpretation of the Commission's rules governing ethical conduct for campaigns, state officers, or state employees. Any such official interpretation of ethics rules shall be binding on the Commission.

SECTION 6. Criminal Penalties. This Article shall not prevent enactment of laws prohibiting certain conduct by political candidates, government officers, government employees, or other persons and providing criminal penalties for such conduct. It also shall not prevent enactment of laws governing ethical conduct of local political subdivision officers and employees, nor shall it prevent enactment of law governing conditions of state government employment.

SECTION 7. Removal. A Commissioner shall only be removed from office pursuant to the provisions of Article VIII of this Constitution.